

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 12, 2003

DIVISION ONE

B163051 Bonime (Not for Publication)

V.

DIRECTV, Inc., et al.

We reverse the judgment of dismissal and remand for further proceedings. The parties are to bear their own costs on appeal.

Ortega, J.

We concur: Spencer, P.J.

Vogel (Miriam A.), J.

B142410 Haase (Not for Publication)

V.

Ellenburg Capital Corporation, Inc.

We affirm the sanctions order. We deny MHC's request for appellate sanctions. We order our clerk to forward a copy of this opinion to the State Bar. The parties are to bear their own costs on appeal.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.

Mallano, J.

DIVISION TWO

B161513 Burk (Not for Publication)

V.

California Association of Realtors

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.

Ashmann-Gerst, J.

DIVISION THREE

B161038 Ja Won Lee (Not for Publication)
v.
Pho Western Restaurant, et al.

As to defendant Dong Min Kim, the judgment is affirmed. As to defendants Pho Western, Inc., Chun Ok Kim, Hanmi Security, and Mario Antonio Esquiviz, the judgment is reversed. Costs on appeal are awarded to defendant Dong Min Kim and to plaintiff Ja Won Lee.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

(Certified for Publication)

B169890 Los Angeles Times and Los Angeles Daily Journal
v.
Superior Court, Los Angeles County
(The People of the State of California, et al., r.p.i.)

The superior court shall publicly file its order appointing Judge Nuss to act as a discovery referee. In all other respects, the petition for writ of mandate is denied. The matter is remanded for further proceedings in the superior court in conformance with the opinions expressed herein. Order to show cause issued on September 23, 2003, is hereby discharged.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B164299 People (Not for Publication)
v.
Derkermenjian

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., Rubin, J. (Assigned) and S. Veverka, Deputy Clerk.

Each of the following:

B166143 People v. Meniffee
B166166 People v. Hernandez
B162432 People v. Knapp
B145574 Moulden v. Moulden

Argument waived, cause submitted.

B167545 Chen, et al.
 v.
 Stanley, et al.

Merits:
Argued by William M. Turner for appellant Stanley and by Edwin D. Hausmann for respondents. No appearance by counsel for appellant Polanski. Cause submitted.

B160408 People
 v.
 Newman

Merits:
Argued by Marleigh A. Kopas for appellant and by Theresa A. Patterson for respondent. Cause submitted.

B162110 Gaylor
 v.
 Hobdy

Merits:
Argued by Damon Hobdy respondent in propria persona. No appearance by counsel for respondent. Cause submitted.

DIVISION FOUR (Continued)

B162065 Kraut
 v.
 Boden

Merits:
Argued by Stuart Esner for appellants and by William J. Glucksman for respondent. Cause submitted.

B161404 Lee, et al.
 v.
 Bicycle Club Casino

Merits:
Argued by Timothy J. Kolesnikow for appellants and by E. Tood Trumper for respondent. Cause submitted.

B164954 Rashti
 v.
 Miod, et al.

Merits:
Argued by Moses A. Lopez for appellants and by Arturo T. Salinas for respondent. Cause submitted.

B167878 Shaw Industries, Inc.
 v.
 Superior Court, Los Angeles County
 (Berthiaume et al., r.p.i.)

Merits:
Argued by Phillip A. Davis for petitioner and by A. Clifton Hodges for real parties in interest. Cause submitted.

DIVISION FOUR (Continued)

B169892 Fortunato
 v.
 Superior Court, Los Angeles County
 (Ingrassia et al., r.p.i.)

Merits:
Argued by Steven C. Smith for petitioner and by Kenneth J. Catanzarite for
real parties in interest. Cause submitted.

B162757 Soni
 v.
 Sheldon & Mak, Inc., et al.

Merits:
Argued by Mark T. Dooks for appellant and by M. Danton Richardson for
respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and V. Guzman, Deputy
Clerk.

Each of the following:

B162078 People v. King
B163224 People v. Archer
B166789 People v. Bobino
B164691 People v. Machado
B168287 DCFS v. Ana M.
B167081 DCFS v. Virginia M.

Argument waived, cause submitted.

DIVISION FOUR (Continued)

B162827 People
 v.
 Small

Merits:

Argued by Elisa A. Brandes for appellant and by Laura J. Harquist, deputy attorney general for respondent. Cause submitted.

B167814 People
 v.
 Thomas

Merits:

Argued by Brent Riggs, deputy district attorney for appellant and by Alex Ricciardulli, deputy public defender for respondent. Cause submitted.

B163217 People
 v.
 Estrada and Aceves

Merits:

Argued by Matthew Alger for appellant Estrada, by Christine C. Shaver for appellant Aceves and by Susan L. Frierson, deputy attorney general for respondent. Cause submitted.

B162160 People
 v.
 Avila

Merits:

Argued by Tom G. Kontos for appellant and by Paul M. Roadarmel, Jr., deputy attorney general for respondent. Cause submitted.

DIVISION FOUR (Continued)

B163805 Johnson
 v.
 Nadir

Merits:
Argued by Allan A. Nadir in propria persona and by Joel D. Voelzke for respondent. Cause submitted.

B164412 Cerritos Stephanie Corporation, et al.
 v.
 Fireman's Fund Insurance Company

Merits:
Argued by Ira Reiner for appellants and by Jerome J. Jackson for respondent. Cause submitted.

B164169 Stolman
 v.
 City of Los Angeles

Merits:
Argued by Stephen L. Jones for appellant and by Thomas Ballantine, deputy city attorney for respondent. Cause submitted.

B161684 Rickley
 v.
 County of Los Angeles

Merits:
Argued by Diane C. Reagan, deputy county counsel for appellant and by Natasha Roit for respondent. Cause submitted.

B168181 Mossimo, Inc.
B168185 v.
 Cherokee, Inc.

Merits:
Argued by Hillel Chodos for appellant and by Robert E. Mangels for respondent. Cause submitted.

DIVISION FOUR (Continued)

B165162 Swanson
v.
Century National Insurance Company

Merits:
Argued by Robert Chatenever for appellant and by Richard G. DeLaMora
for respondent. Cause submitted.

B163416 Jespersen, et al.
v.
Zubiate-Beauchamp, et al.

Merits:
Argued by Daniel J. Doonan for appellants Doonan & Shapiro, by William
M. Aitken for appellant Zubiate-Beauchamp and by Dayton B. Parcels, III
for respondents. Cause submitted.

Court adjourned.

DIVISION FIVE

B165664 Nicholas Benetic (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

DIVISION FIVE (Continued)

B161835 Digivision Productions (Not for Publication)
 v.
 Jerry Skillett

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION SIX

B166139 Adlawan
 v.
 Adlawan

Filed order denying petition for rehearing.

DIVISION EIGHT

B164567 People v. Kirakosyan (Not for Publication)
B169100 In Re Arutyan Kirakosyan on Habeas Corpus

For the reasons set forth above, the judgment is reversed as to only the order imposing defense costs under section 987.8 and is remanded so the proper notice and hearing can be provided. In all other respects, the judgment is affirmed. Appellant's habeas corpus petition is dismissed because it is moot.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

December 12, 2003 (Continued)

DIVISION EIGHT (Continued)

B167335 Los Angeles County, D.C.S. (Not for Publication)

v.

Jarita B.,

In re Jonathan B. et al., Persons Coming Under the Juvenile Court Law.

The matter is reversed and remanded for the Department of Children and Family Services to comply with the Indian Child Welfare Act.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.